

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DWAYNE EICHLER,

Plaintiff, 2:04-cv-1108-GEB-JFM-P

vs.

CDC OFFICER SHERBIN, et al.,

Defendants. ORDER

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On September 19, 2006, plaintiff filed a request for reconsideration of the magistrate judge's order filed September 11, 2006, vacating the pretrial conference and trial dates. Pursuant to E.D. Local Rule 72-303(f), a magistrate judge's orders shall be upheld unless "clearly erroneous or contrary to law." Upon review of the entire file, the court finds that it does not appear that the magistrate judge's ruling was clearly erroneous or contrary to law.

Therefore, IT IS HEREBY ORDERED that, upon reconsideration, the order of the magistrate judge filed September 11, 2006, is affirmed.

Dated: October 2, 2006

/s/ Garland E. Burrell, Jr.
GARLAND E. BURRELL, JR.
United States District Judge

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